

Message Text

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ACTION VOE-00

INFO OCT-01 ARA-10 ISO-00 SCA-01 INSE-00 /012 W

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P 291959Z OCT 75

FM AMEMBASSY BRIDGETOWN

TO SECSTATE WASHDC PRIORITY 9797

UNCLAS BRIDGETOWN 1971

E.O. 11652: N/A

TAGS: CVIS: CANCELATION OF NONIMMIGRANT VISA WAIVER

SUBJ: NIV PROCEDURES

1. NOW THAT CANCELATION OF NONIMMIGRANT VISA WAIVER PREVIOUSLY AUTHORIZED BY 22 CFR 41.6(B) IS IN EFFECT, EMBASSY HAS BEEN RECEIVING REQUESTS FOR NIVISAS FROM SPOUSES AND CHILDREN IN CONSULAR DISTRICT WHO WISH TO JOIN PRINCIPAL ALIENS WHO THEY CLAIM ARE IN US (PUERTO RICO OR VIRGIN ISLANDS) AS "BONDED WORKERS".

2. IF OTHERWISE ELIGIBLE, THESE FAMILY MEMBERS COULD BE CONSIDERED FOR

EITHER B-2 OR H-4 VISAS. VISA VALIDITY SCHEDULE PERMITS IN MOST CASES ISSUANCE OF MULTIPLE ENTRY B-2 VISAS VALID FOR 48 MONTHS WHILE H-4 MULTIPLE ENTRY VISAS ARE RESTRICTED IN VALIDITY TO PERIOD NOT TO EXCEED THAT OF THE H "VISA" OF PRINCIPAL ALIEN.

3. WE BELIEVE IT PREFERABLE TO ISSUE H-4 VISAS TO SUCH FAMILIES BUT WOULD NEED FORMS I-171C TO VERIFY THAT PRINCIPAL ALIEN LEGALLY IN US UNDER H STATUS AND WHICH INDICATES PERIOD OF STAY AUTHORIZED WORKER.

4. THE REGULATIONS PROVIDE FOR SENDING OF FS-508 TO SERVICE REQUESTING I-171C BE FORWARDED TO APPLICANT FOR PRESENTATION TO CONSULAR OFFICER. IT IS BELIEVED THAT IF THIS PROCEDURE IS ADOPTED FOR APPLICANTS AFFECTED BY CANCELATION OF WAIVER, IT WILL BE BOTH TIME CONSUMING TO APPLICANT AND BURDENSOME TO INS.

5. WE THEREFORE SUGGEST THAT INS BE ASKED TO INFORM WORKERS IN UNCLASSIFIED

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THE ISLANDS THAT THEY SHOULD MAKE APPLICATION TO INS FOR VERIFI-

CATION OF THEIR STATUS TO BE SENT TO FAMILIES TO SUPPORT H-4
VISA APPLICATIONS.

6. EMBASSY WILLING TO ACCEPT COPIES OF I-171C OR SUCH OTHER
VERIFICATION AS SERVICE MAY WISH TO DEVISE.

7. YOUR COMMENTS ON THIS PROPOSAL ARE REQUESTED. DEPARTMENT
SHOULD NOTE THAT SEVERAL CASES OF THIS TYPE ARE PENDING ACTION.

8. WOULD DEPARTMENT AND/OR CENTRAL OFFICE OBJECT TO EMBASSY
CONSULTING DIRECTLY WITH INS PUERTO RICO ON ROUTINE PROCEDURAL
QUESTIONS OF THIS TYPE IN THE INTEREST OF EXPEDIENCY? DECISIONS
REACHED IN THIS MANNER BETWEEN EMBASSY AND INS DIRECTOR
AT PUERTO RICO WOULD BE CIRCULATED TO OTHER CONSULAR OFFICES
INVOLVED AND OF COURSE TO DEPARTMENT IMMEDIATELY.
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